

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re:  
Spiro & Ann Milliaressis

Chapter 13  
Index No. 08-22504

**ORDER CONFIRMING PLAN**

The debtor's amended plan dated June 23, 2008, and monthly post petitions required by the plan having been made; and it having been determined after notice and hearing that:

- (1) The plan complies with the provisions of this chapter and with other applicable provisions of this title;
- (2) Any fee, charge or amount required under 28 U.S.C. Chapter 13 or by the plan, to be paid before confirmation, has been paid;
- (3) The plan had been proposed in good faith and not by any means forbidden by law;
- (4) The value, as of the effective date of the plan, of property to be distributed under the plan on account of each allowed unsecured claim is not less than the amount that would be paid on such claim if the debtor's estate were liquidated under 11 U.S.C. Chapter 7 on such date;
- (5) With respect to each allowed secured claim provided for by the plan:
  - (A) the holder of such claim has accepted the plan;
  - (B) (i) the plan provides that the holder of such claim retain the lien securing such claim; and (ii) the value, as of the effective date of the plan, of property to be distributed under the plan on account of such claim is not less than the allowed amount of such claim; or
- (C) The debtor surrenders the property securing such claim to such holder;
- (6) The debtor will be able to make all payments under the plan and to comply with the plan;
- (7) No objections to confirmation have been filed or any objects have been resolved.

It is ORDERED that:

1. The Debtor's plan, as modified be and it hereby is CONFIRMED.

Beginning thirty days after the date of filing and each month for a period of 60 months, or thereafter until further order, the debtor shall pay (by money order, bank check or certified check payable to the Trustee) JEFFREY L. SAPIR OF 399 KNOLLWOOD ROAD, WHITE PLAINS, NEW YORK 10603 shall pay the Trustee the sum of \$54.00 per month for a period of 36 months plus tax refund payments in the approximate amount of \$3,000.00 each for two payments.

The trustee shall make distribution in accordance with the debtor's plan inclusive of the Trustee's 10% fee and (if appropriate) other unpaid administrative expenses, including compensation to the attorney(s) of the debtor(s) in the amount of \$500.00 that have been allowed by the Court pursuant to 11 U.S.C. 503(b) and Debtor's Counsel is relieved as counsel as of the date of this Order.

2. The debtor shall provide tax returns yearly for the balance of the plan and, if operating a business shall provide quarterly operating statements.
3. If there is a change of financial circumstances, the debtor shall notify the Trustee within 30 days.

Dated: White Plains, New York  
December 24, 2008

/s/ Adlai S. Hardin, Jr.  
Hon. Adlai S. Hardin, Jr.  
U.S. Bankruptcy Judge